

City of Kenmore



City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028
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City of Kenmore Planning Commission Meeting Agenda

Tuesday, July 6, 2021 @ 7:00 p.m. via Zoom

Log-in Information for the Commission Meeting:

Please click the link below to join the webinar or copy and put this link in your address bar in your web browser:

<https://us02web.zoom.us/j/84548963787>

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If you have any questions or to confirm agenda items prior to the meeting, or if you require special accommodations, please email Rita Moreno at rmoreno@kenmorewa.gov.

1. CALL TO ORDER

2. PUBLIC COMMENTS

This is an opportunity to express your views on issues that are important to you and to the community. Please email comments to Rita Moreno at rmoreno@kenmorewa.gov by 5:00 p.m. on Tuesday, July 6, 2021. All comments received will be forwarded to the Planning Commission for consideration. You also may use the "raise hand" feature in Zoom during the Citizen Comment portion of the meeting or call in at the number listed above. A 3-minute comment limit applies.

3. APPROVAL OF MINUTES

- [June 15, 2021 Planning Commission Meeting Minutes](#)

4. AGENDA ITEMS

Land Use Element Update: Lakepointe, Glacier Northwest and additional TOD Information

[Staff Memo](#)

[Attachment 1 - Lakepointe](#)

[Attachment 2 - Northshore Policy K-11](#)

[Attachment 3 - Northshore Policy K-12](#)

[Attachment 4 - NSP4](#)

[Attachment 5 - NSP10](#)

[Attachment 6 - Glacier Northwest](#)

5. ADJOURNMENT

6. UPCOMING MEETINGS:
July 20, 2021, 7:00 p.m. - Via Zoom

**City of Kenmore
Planning Commission Meeting
June 15, 2021 @ 7:00 p.m.**

Planning Commission Members – In Attendance (the meeting was held virtually using the Zoom online platform)

Mark Ohrenschall, Chair
Mike Vanderlinde, Vice Chair
Tracy Banaszynski
Suzanne Greathouse
Nathan Loutsis
Dennis Olson
Dwight Thompson

Consultants & Staff

Lauri Anderson, Principal Planner
Debbie Bent, Community Development Director
Tela Gardner, Permit Coordinator

1. CALL TO ORDER

The meeting was called to order by Chair Ohrenschall at 7:06 p.m.

2. CITIZEN COMMENTS

No citizen comments.

3. APPROVAL OF MINUTES

June 1st, 2021 Meeting Minutes – A motion to approve was made by Commissioner Thompson. Vice Chair Vanderlinde seconded the motion. The motion passed 7-0 by roll call vote.

4. AGENDA ITEMS

- Discussion of Land Use Element Update, including discussion of nominating downtown Kenmore as a Candidate Countywide Center, downtown heights and densities, and a recap of the TOD discussion

City Staff summarized Staff's recommendation that the City's downtown area be designated as a Candidate Countywide center which will acknowledge the City's new role and increase its regional

funding priority. Staff clarified the framework provided by King County Centers Designation and discussed the “activity units” required; activity units are a combination of population and jobs that generally reflect density.

The Commission discussed the feasibility of Lakepointe development and potential outcomes if activity units were not achieved. Other points made by Commissioners were that there appears to be no downside to this nomination, that it matches the vision for downtown, and that the nomination could be revisited in the future if conditions change. Commissioners acknowledged that the City would be setting expectations and that a good faith effort should be made to meet the Countywide Center criteria.

Motion: Commissioner Olson made a motion that the Planning Commission recommend Kenmore Downtown be nominated as a Countywide Center. Commissioner Loutsis seconded the motion which passed unanimously 7-0 by roll call vote.

City Staff summarized the Downtown Heights and Densities policy question asking if Commissioners were in support of adding a policy to the Comprehensive Plan requiring a minimum height (in stories) or a floor area ratio (FAR) for buildings in the downtown core.

The Commission was generally in favor of adding a policy about a minimum commercial FAR to the Comprehensive Plan. Staff clarified that there were no associated impacts to the TOD and critical areas, as these standards are already established in the zoning code.

Staff presented a summary of the TOD Discussion by memo and Commissioners provided feedback. They requested stronger wording for the bullet point about critical areas protection to represent the priority of those areas.

7. ADJOURNMENT

Chair Ohrenschall adjourned the meeting at 8:24 p.m.

Planning Commission

Approved by Planning Commission on: _____



City Of Kenmore, Washington

Memorandum

Date: June 29, 2021

To: Planning Commission

From: Debbie Bent, Community Development Director
Lauri Anderson, Principal Planner

Regarding: Land Use Element Update:
Lakepointe, Glacier Northwest and additional TOD information

1. Lakepointe

Lakepointe is an approximately 40-acre property located along Lake Washington at the mouth of the Sammamish River (see Attachment 1). The site is just east of the Kenmore Air Harbor Seaplane terminal and is accessed from NE 175th Street. The property has been the subject of several development proposals, but presently is used industrially, including outdoor storage. The site is considered a part of the City's downtown.

Since Kenmore's incorporation, the "vision" for Lakepointe has been for a larger mixed use, commercial and residential development, providing affordable housing, and with significant shoreline protection, public access, and public open space. While the long-term vision for the area has not changed, current Comprehensive Plan policies, some of which were adopted upon incorporation in 1998 from the Northshore Community Plan (see Attachments 2 and 3), are out of date.

Implementing zoning standards for Lakepointe (the P-suffixes, or property-specific development regulations) are included for your reference as Attachments 4 and 5. Later this year, staff will begin making recommendations to incorporate relevant P-suffixes directly into the Zoning Code. At this time, however, we are addressing only proposed Comprehensive Plan amendments.

Staff recommends that the two Northshore Community Plan policies (K-11 and K-12) be eliminated and that the goals from those policies be moved into existing Comprehensive Plan policy LU-2.1.2(b) that discusses Lakepointe. References to approved plans for the property should be removed as the project permit has expired, and the site should be identified as a special study area, similar to the Comprehensive Plan treatment of the Bastyr University campus.

While background information and policies about Lakepointe appear throughout the Comprehensive Plan, most do not need adjustment as they reflect the desired future character of the area. Significant changes to the Land Use and Housing Elements recommended by staff follow. Policies related to Lakepointe in other chapters (Transportation, for example) will be taken up at the time those Elements are under consideration.

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The recommended amendments are shown in the underline/strikethrough format with yellow highlighting.

Amendments to Land Use Element, Policy LU-2.1.2(b)

Special Study Area—Lakepointe—Mixed Use Master Plan: The City has designated Lakepointe as a Special Study Area recognizing its significant size and waterfront location on both the Sammamish River and Lake Washington. A site development permit and Master Plan are approved for the Lakepointe site cohesive development plan should be prepared for the site to guide development of the property specifying permitted uses and development consistent with the following goals: Property-Specific (P-suffix) Development Standards, Northshore Comprehensive Plan Policies K-11 and K-12, adopted in Exhibit "C" to Ordinance 98-0027 that was reaffirmed in Ordinance 03-0177, continue to be in effect for this property.

1. Develop a mixed-use (commercial and residential) pedestrian-oriented urban village, including some affordable housing. (partially new and modified from K-11.f)
2. Apply design standards consistent with expectations for Kenmore's downtown. (modified from K-12)
3. Minimize surface parking. (new)
4. Provide substantial public access to, and use of, the Lake Washington and Sammamish River waterfronts, including a community open space for use by the general public. (taken from K-11.d, g and k)
5. Provide easily accessible public viewpoints, and protect view corridors to Lake Washington. (modified from K-11.j)
6. Provide pedestrian and bicycle linkages to the downtown core, nearby parks and the Burke-Gilman Trail. (modified from K-11.a and K-12.d)
7. Recognize and support the site's unique role in the regional transportation network, including connections to bus rapid transit along SR-522, the Kenmore Air Harbor, and a potential Lake Washington passenger ferry. (new and modified from K-11.b)
8. Provide a strong transportation demand management program that facilitates transit use. (modified from K-11.b)
9. Mitigate for impacts to the shoreline edge through riparian vegetation enhancement. (taken from K-11.i)
10. Enhance fish and wildlife habitat. (modified from K-11.h)

Amendments to Northshore Policies K-11 and K-12

As mentioned above, staff recommends completely eliminating policies K-11 and K-12, with significant goals incorporated into Policy LU-2.1.2.b as described above. Goals that are not proposed for inclusion include those that address permit review standards (traffic analysis and environmental review, for example) that more appropriately belong with implementing zoning or are already addressed by the Zoning Code. Those goals are:

- K-11.c. This policy describes the traffic analysis process that any new development would go through and is more appropriately addressed through the Zoning Code.
- K-11.e. Kenmore does not have a business improvement district.
- K-11.l. Environmental review would be required as provided in City and State regulations.

Amendments to Land Use Element, Downtown Sub-Element, Existing Conditions

The future Lakepointe development on Lake Washington at the southwest corner of SR-522 and 68th Avenue NE could have a dramatic impact on the City from both a physical and economic point of view. With a current permit for over 650,000 square feet of commercial/office/hotel development and 1,200 housing units, significant development capacity in a waterfront setting, the development could represent one of only four or five waterfront mixed-use developments on Lake Washington.

Amendments to Housing Element, Number and Types of Housing Units

Several multi-family housing projects are in the planning or construction stages. The largest proposed multi-family development is Lakepointe, which would provide 1,200 new housing units; the exact mix of owner-occupied and rental units in the project is yet to be determined.

2. Glacier Northwest

In the planning documents adopted from King County, Lakepointe is known as the "Kenmore Pre-Mix site" and includes the 6-acre Glacier Northwest property just to the northwest (see Attachment 6). Assuming that the long-term vision for Glacier Northwest redevelopment continues to be similar to the vision for Lakepointe, a new subsection should be added to Policy LU-2.1.2(b).

In the following proposed amendments, staff has modified the Lakepointe standards to acknowledge that the Glacier site is significantly smaller, is not on the Sammamish River, and is connected to Lake Washington only through the modified inner harbor.

Amendments to Land Use Element, Policy LU-2.1.2(b)

Special Study Area—Glacier Northwest: The City has designated the Glacier Northwest property as a Special Study Area recognizing its size and waterfront location on Lake Washington. A cohesive development plan should be prepared for the site to guide redevelopment of the property consistent with the following goals:

1. Develop a mixed-use (commercial and residential) pedestrian-oriented area, including some affordable housing.
2. Apply design standards consistent with expectations for Kenmore's downtown.
3. Minimize surface parking.
4. Provide public access to, and use of, the Lake Washington waterfront, including a community open space for use by the general public.
5. Provide easily accessible public viewpoints, and protect view corridors to Lake Washington.
6. Provide pedestrian and bicycle linkages to the downtown core, nearby parks and the Burke-Gilman Trail.
7. Recognize and support the site's unique role in the regional transportation network, including connections to bus rapid transit along SR-522, the Kenmore Air Harbor, and a potential Lake Washington passenger ferry.
8. Provide a strong transportation demand management program that facilitates transit use.

3. Additional TOD Information

Commissioner Vanderlinde has shared very informative background information on TOD (see links, below). The presentation by Peter Calthorpe is particularly interesting.

[Peter Calthorpe: 7 principles for building better cities | TED Talk](#)
[Transit Oriented Development \(tod.org\)](#)

Attachments

- Attachment 1: Aerial of Lakepointe
- Attachment 2: Northshore Community Plan Policy K-11
- Attachment 3: Northshore Community Plan Policy K-12
- Attachment 4: P-Suffix zoning regulation NS-P4
- Attachment 5: P-Suffix zoning regulation NS-P10
- Attachment 6: Aerial of Glacier Northwest



K-11 The Kenmore plan supports a mixed use development area in Kenmore. Issues identified in this plan must be addressed before mixed use development can occur. The mixed use development area is designated as industrial/commercial, potential mixed use. Mixed use development shall meet the following conditions before redevelopment can occur:

- a. Provide pedestrian linkages into other parts of Kenmore.
- b. Provide for easily accessible transit hub, and a strong transportation demand management program that facilitates transit use.
- c. SR-522 through Kenmore is currently at LOS F and at ultimate design. Further study is necessary to determine if potential roadway and transit improvements will be sufficient to mitigate roadway congestion to acceptable levels. Therefore, prior to any actualization of any potential zoning on the site, a plan amendment study shall be completed by the executive and transmitted to the council 90 days after the applicant submits its transportation analysis to the City of Kenmore. The study should identify acceptable congestion thresholds based on aggressive transit solutions. The City of Kenmore will determine if potential transit and roadway improvements will be sufficient to meet new transit thresholds. If it is determined that transit and roadway improvements will be sufficient to meet transit thresholds, the new development shall pay a pro-rata share towards these improvements including both roadway and transit capital projects. New development may occur only when transportation impacts are adequately mitigated.
- d. Provide for substantial public access to and use of the Lake Washington and Sammamish River waterfront.
- e. Contribute to any Kenmore business improvement district.
- f. Mitigate for impacts upon affordable housing, as determined by the City of Kenmore.
- g. Provide for community open space.
- h. Provide for fish and wildlife enhancement.
- i. Mitigate for impacts to the shoreline edge through riparian vegetation enhancement.
- j. Provide for easily accessible public viewpoints and protect view corridors.
- k. Provide for convenient pedestrian access from the development to link to nearby park facilities.
- l. Development shall provide for thorough environmental review, which should include analysis of available water-based industrial land in the region to support this type of use.

K-12 The Kenmore urban design study provides guidelines for future development to enhance the aesthetics, and build on the character and function of Kenmore. The following elements from the design study should be implemented through zoning P-suffix conditions, the Kenmore capital improvement program and any other identified methods.

- a. Identification of the most desirable placement and orientation of new buildings to improve the overall pedestrian activity and improve the aesthetics of the center.
- b. Location of pedestrian linkages to allow maximum mobility and enjoyment of pedestrians in Kenmore.
- c. Identification of potential parks, plazas, and public green spaces which enhance the aesthetics and character of Kenmore.
- d. Specific identification of linkages to the Burke-Gilman Trail.



Development Condition Query Results

Post-Conversion Condition: ns-p4

Effective: August 18, 1997

Description

Mixed-Use Pedestrian Oriented Area

*see amendment
03-0175
(removed para 1)*

Development Condition Text

Mixed Use Pedestrian Oriented Area (Source: Northshore Community Plan Update and Area Zoning, pp. 241-254 and as amended by Ordinance 11653)

To implement policies CI 4 , K 2 and K 12, special conditions are attached to the property known as the Kenmore Pre Mix site. The discussion and mitigation below applies specifically to the Pre Mix site.

The Mixed Use District is intended to be a pedestrian oriented place, where residents and visitors can enjoy an "urban village" extension of Kenmore. The design of the Mixed Use District is intended to integrate different land uses and activities and minimize the conflicts between vehicles, pedestrians and cyclists. It includes a new "pedestrian street" that will connect the new Lakepointe Drive to the waterfront park. Shops and dining establishments will front the street, with residences above.

The Mixed Use District will provide almost a mile of Lake Washington and Sammamish River channel shoreline public access. A waterfront promenade will be developed for pedestrian use along the existing barge basin, and will include trees, benches, public viewpoints, walking paths and sidewalk cafes. The promenade will lead to a new public waterfront park at the end of the peninsula with a special public gathering place for musical events and other occasions. The park will have unobstructed views down Lake Washington available to residents of the Kenmore community.

Pedestrian improvements will include a new public shoreline park along the Sammamish River channel, which will incorporate a shoreline/wildlife interpretive trail and bike path. Townhouse style homes will be set back from the shoreline to allow for enhancement of this new natural area. The shoreline/wildlife interpretive trail will lead to a new public community shoreline park with public restrooms and a trailhead interpretive center.

Mixed business residential use is recognized as a viable use in the long term for the Kenmore Pre-Mix site. However, any development in this area requires mitigation of environmental impacts. Therefore, a site-specific mitigation program is incorporated in the P-Suffix conditions for this area. The objective of this mitigation plan is to ensure that all impacts of the proposed development are mitigated.

SR-522 in Kenmore is recognized to be at "ultimate design." Roads that are at ultimate design cannot be widened without significant destruction of existing development and potential environmental damage because the land around the roadway is already developed and/or contains natural features. King County recognizes that while some improvement to adjacent roadways is possible, congestion below County thresholds is likely to continue on SR 522. The level of acceptability cannot be based on current County standards due to the ultimate design characteristics of the SR-522 roadway described above.

The King County Department of Public Works has identified transportation improvements which will facilitate traffic flow in Kenmore. Transit improvements have also been identified. The transportation P suffix conditions in this package identify ways to mitigate transportation impacts as a result of mixed use development on the Pre Mix site.

The following p suffix conditions apply to the Pre Mix site:

1._Permitted Uses

_Permitted uses shall include those uses permitted in the various zones within the Pre-mix site, except the following:

_a._Gasoline service stations

_b._Drive through restaurants

_c._Retail nurseries

_d._Car washes

_e._Stores with outdoor storage

_f._Single retail tenants with a gross floor area in excess of 65,000 square feet

_For properties in the Neighborhood Commercial, Waterfront, and Waterfront Extension Subdistricts (described below), the location of residential dwelling units shall be prohibited on the ground floor, and retail and service uses are encouraged on the ground floor. Other ground floor uses (including parking) may be permitted when designed so as to be compatible with the pedestrian orientation of the development.

2._Building Development

_Orientation to Pedestrian Street

_For properties with frontage on the primary pedestrian street the following building setback requirements shall apply:

_Street Setback: maximum of 5 feet; larger setbacks shall be allowed if arcades, street side outdoor cafes, patios, parks, plazas, or other public spaces are provided along the street.

_For properties with frontage on the primary pedestrian street, the primary ground floor building entrance should orient to either the street or public spaces such as plazas, arcades, and parks.

_For development located on the primary pedestrian street, a minimum of 75% of the street shall be fronted by buildings at grade. A minimum of 50% of the buildings on the street shall be fronted by retail or service uses.

_Public pedestrian access to the waterfront located at the rear of buildings located on the primary pedestrian street shall be provided a minimum of every 300 feet of street frontage.

_Street Facade Requirements

_The building street facade of ground floor retail and service uses that front the primary pedestrian street shall include windows and overhead protection. The use of blank walls without facade ornamentation is not permitted along the primary pedestrian street.

_Building materials such as concrete, brick, masonry, glass, tile, stone, metal, or wood are required on the building street facade. Sheer, uninterrupted glass curtain walls, all mirrored glass and cinderblocks are not permitted on the building street facade along the primary pedestrian street.

_Height

_Maximum heights shall be 92 feet in the northern and central portions of the mixed use development area. A 45-foot height limit shall apply to all development within 100 feet of the channelized edge of the Lake Washington shoreline. The boundary of the channelized edge shall extend to the inner harbor line. A 35-foot height limit shall apply to all development within the first 200 feet, and a 45-foot height limit to all development within the next 100 feet of the Sammamish River shoreline edge and the Lake Washington shoreline edge that is not channelized.

_Street Frontage

_The frontage of Lakepointe Drive shall be designed as to be attractive to passing road users and to screen surface parking adjacent to the roadway. For example, parking areas fronting on Lakepointe Drive should be screened either by bermed landscaping or buildings. Street trees shall be provided along Lakepointe Drive.

3. Parking

Amount and Location

At full build out, off street parking shall be no greater than one space for every 400 square feet of floor area in the waterfront, waterfront extension, and residential subdistricts; provided that during initial phases of development, off street parking standards may be exceeded in anticipation of future development.

In the Neighborhood Commercial subdistrict, minimum parking requirements for office, retail and commercial uses shall be one space for every 300 square feet of public area.

Surface parking shall be located to the greatest degree possible in the rear of buildings that front the primary pedestrian street. Any parking which cannot be accommodated in the rear of the building may be provided on the side of the building.

At full build-out, on-site surface parking shall consume a maximum of 50% of the total site area in the Neighborhood Commercial subdistrict, and 25% of the total site area in the Waterfront, Waterfront Extension, and Residential subdistricts. The remaining off street parking requirements shall be accommodated using one or a combination of the following:

On site parking structure

On street parking spaces

Off site common parking facility

At full build out, 75% of the parking in the Waterfront, Waterfront Extension, and Residential subdistricts shall be provided in structures or on street.

In the Neighborhood Commercial subdistrict of the Pre Mix site, a maximum of 60 parking stalls are permitted in any one surface parking lot. At a minimum, parking lots must be separated by buildings, streets, or 12 feet of Type II landscaping.

Design

All parking areas that front sidewalks (except along Lakepointe Drive) shall be screened by a streetwall and landscaping.

Retail uses shall be provided on the first floor of the street side edges of parking structures.

4. Transit and Transportation Circulation

Mitigation for development of the Pre Mix site should emphasize enhancement of transit and non vehicular use and improvement of local access and circulation within

the Kenmore area. Therefore, mitigating conditions (as specified in paragraph 14 below) include dedication and construction of Lakepointe Drive, signalization of the intersection of this road with 68th Avenue and with SR 522, dedication and improvement of a transit stop on SR 522, contribution to development of a pedestrian bridge crossing SR 522, construction of a pedestrian street, provision of commuter parking, the construction of Lakepointe Drive and improvements to a new intersection at 65th Avenue NE, and development and enforcement of a transportation management plan on site.

_Fair share participation in applicable projects listed in the current Mitigation Payment System Program, as well as contribution towards other transportation projects identified through the Master Plan and development plan approval process.

_Furthermore, the requirement that residential development occur throughout the various phases of development of the Pre Mix site will ensure that transit and transportation linkages occur from the very beginning of development.

5. Pedestrian and Bicycle Circulation

_Design of the Mixed Use District shall emphasize public pedestrian access and linkages to the transit facilities and adjacent sites. This includes contribution to development of a pedestrian bridge across SR 522, as specified in Condition 14 below, if approved by King County and WSDOT. Required primary public pedestrian and bicycle routes are shown on Map B (Northshore Community Plan Update and Area Zoning, p. 256). Other, minor pedestrian routes shall be identified through the Master Planning and building permit review processes.

_All pedestrian walkways and connections, including shoreline pedestrian routes, shall be accessible and open to the general public. Public vehicular access may be limited to the Residential area. Pedestrian access within the Residential area shall be limited to two public access corridors across the subdistrict.

_Bicycle and pedestrian linkages to the Burke Gilman Trail, and to the transit stop required as part of Condition 14 below, shall be provided. See Map B (Northshore Community Plan Update and Area Zoning, p. 256). Location of these linkages is subject to the review and approval of King County.

_Bicycle parking facilities shall be provided at all major public destination points.

6. Landscaping and Public Amenities

_All properties that front the pedestrian street must provide sidewalk landscaping and other amenities (street furniture, street trees, and special lighting).

_20% of the entire mixed use development shall be designated as public open space for the general public. Major public activity nodes are identified on Map B (Northshore Community Plan Update and Area Zoning, p. 256). A public gathering place which accommodates a minimum of 50 people shall be provided on the site. See Map F and G (Northshore Community Plan Update and Area Zoning, pp. 260-1). These public open space areas shall be easily accessible to the pedestrian, and shall be

considered in the pedestrian circulation plan. Waterfront access areas, public parks and sensitive area buffers may be utilized to calculate the 20% requirement. Internal pedestrian walkways, public streets, and private open space areas shall not be utilized to calculate the 20% requirement. Public access shall be provided around the entire waterfront edge of the site, See Map B (Northshore Community Plan Update and Area Zoning, p. 256).

_Street trees shall be provided in all roads constructed with the development. .

7._Vehicular Access and Circulation

_Driveways on the primary pedestrian street shall be limited to an average of one for every two hundred lineal feet.

_The on site vehicular circulation system shall contribute to pedestrian movement and safety by including all of the following items that are feasible, considering the overall design of the development:

- Pedestrian crosswalks at key crossing areas
- Signage that clearly communicate the location of vehicular and pedestrian zones
- Designated passenger drop off areas
- Parking on interior roads, to slow down vehicular traffic
- The primary pedestrian street shall be built in the Waterfront subdistrict. Location of this pedestrian route as shown in Map B is conceptual. Actual location may vary based on road and signalization design. The street shall be built to the general specifications of the illustrative street section in Map C and Map D (Northshore Community Plan Update and Area Zoning, p. 257-8)

8._Public Viewpoints

_Public viewpoints, linked with the pedestrian routes, shall be provided. Public viewpoints shall provide views of the Sammamish River and Lake Washington. See Maps B, E, F and G (Northshore Community Plan Update and Area Zoning, p. 256-261). Public viewpoints shall be integrated into the pedestrian plan for the site and shall be easily accessible to the public. Development of the public viewpoint areas shall include pedestrian amenities such as seating and signage.

9._Shoreline Enhancement

_The shoreline edge of the Sammamish River and Lake Washington shall be improved to enhance water quality and wildlife and marine habitat. A wetland and riparian enhancement plan subject to the review and approval of King County, shall be performed by a qualified wetland biologist. Setbacks shall be subject to the King County Sensitive Areas Ordinance and the Shoreline Master Program with a minimum 100-foot setback for structures from the river's edge. Buffer averaging may require off site mitigation, to be determined in the Master Plan process. No disturbance of the

Sensitive Areas Ordinance required buffers is permitted, except at minimum 300 foot intervals, wildlife viewing trails extending into the buffer may be allowed if no significant impact to the wildlife and marine habitat is anticipated to occur. The use of moorage developed in the barge channel shall be limited to private use. Public moorage shall be provided, if feasible, on the Lake Washington frontage of the site, subject to approval under the King County Sensitive Areas Ordinance, the Shoreline Master program and other agencies with jurisdiction. Approval of all water moorage is subject to mitigation of marine/air conflicts. A special study shall be performed to determine if boat moorage will have a negative impact on salmon runs entering the Sammamish River or feeding at the River mouth. If it is found that moorage and associated boat traffic may have an impact, boat moorage shall not be provided.

10. Affordable Housing.

Affordable housing units amounting to 10% of the total number of units in the development shall be provided. Compliance with this requirement shall be required (a) upon occupancy of the first 400 units at the Pre Mix site, and (b) thereafter, upon the completion of each additional 260 residential units at the site. Compliance may be achieved through construction of affordable units or provision of adequate security to the County to ensure their future development. The affordable units need not be provided within the development, but must be provided within the Northshore planning area. Units may be either rented or sold. Affordable housing shall be calculated as follows: Rented units shall be provided only to households earning less than 50% of the median income. Monthly rents shall be no greater than 30% of the monthly income from households earning 50% of the median income. Sold units shall be sold to first time buyers (i.e. person not having owned a home in the past three years) earning less than 80% of the median income. Home prices shall be Affordable based on FHA lending standards. Covenants shall be established which guarantee the fulfillment of this obligation.

11. Residential Density.

Residential density at full build out shall be calculated at the following levels per acre for the gross land area of each subdistrict in the development:

____ Minimum Maximum Neighborhood Commercial ____ 12 du/ac 48 du/ac

_ Waterfront & Waterfront Extension ____ 12 du/ac 24 du/ac

_ Residential ____ 24 du/ac 48 du/ac

Residential uses in the mixed use area shall not exceed 75% and shall not fall below 50% of the total built floor area of the development at full build out. Where feasible, buildings with non residential uses (in particular, large buildings), shall include residential uses as well. A minimum of 25% of total floor area of each phase of development shall be residential.

12. Hazardous Waste Removal

Prior to any development, the applicant shall conduct additional environmental

assessment as specified by King County and, if contamination is found, shall prepare a remediation plan and schedule acceptable to the King County Executive Branch. Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements. The remainder of the site shall be cleaned up on accordance with the remediation schedule.

13. Fair Share Mitigation.

In applying the above conditions on individual properties, mitigation shall be at a reasonable level related to each proposed development.

14. Phasing Requirements

The approved Master Site Plan for and all approvals for development of phases of the Pre Mix site, shall satisfy the following requirements for phasing, provision of mitigation, and development by subdistrict.

a. Subdistrict Development. The Pre Mix site shall be divided into four subdistricts, as shown on Map A. The location of the subdistrict boundaries may vary somewhat from Map A; the final boundaries for each subdistrict will be determined in the master plan process. Development in each subdistrict is subject to all P Suffix conditions of the zone set forth above, as well as the subdistrict specific conditions described below and any mitigations identified through the Master Site Plan approval process. The Residential Subdistrict may overlap with the adjacent subdistricts for the purpose of distributing density across the site, as set forth under the approved Master Plan. This plan contemplates that ultimate development of the outright RB zoned portion of the Pre Mix site (not including the Waterfront Extension Subdistrict) will include approximately 1000 units of residential development and approximately 500,000 square feet of commercial (including approximately 250,000 square feet of office/professional service, and 250,000 square feet of retail and entertainment) development.

(1) Neighborhood Commercial (approximately 12 18 acres). This area will serve as the focus of neighborhood scale retail and commercial development, because of its proximity to road and transportation infrastructure. It may also include entertainment uses, and will incorporate residential development, though at a lower density than the remainder of the Mixed Use District. Where feasible, residential uses will be included in the same structure as retail and office uses. Some vertical integration of residential and retail/office uses shall occur in this area.

(2) Waterfront (approximately 10 14 acres). This subdistrict will emphasize pedestrian scale access and development, both at and near the channelized edge of the inner harbor. Development will be mixed use, with a higher density of residential than in the Neighborhood Commercial Subdistrict. Enjoyment of the urban shoreline environment and pedestrian connections throughout the site will be stressed.

(3) Residential (approximately 10 14 acres). The residential subdistrict will be the center of residential development on the site. This area will be linked to the neighboring commercial and waterfront subdistricts, as well as to the transit stop, by

pedestrian corridors, bridges, and other linkages. Residential development will respect the natural shoreline of the Sammamish River, where public access will be provided.

___(4)_Waterfront Extension (approximately 4.8 acres). This future phase (potentially zoned RB P) will develop after the discontinuation of the existing industrial use.

___b._Phasing. There are no restrictions on when or where development may occur within the Pre Mix site, so long as it is in accordance with the approved master plan.

___c._Mitigation Phasing Requirements. The purpose of identifying mitigation phasing requirements in the area zoning is to insure that adequate mitigation is in place for development of each portion of the mixed use development site. These requirements are designed to insure that most of the capital project roadway mitigations for the entire Pre Mix site shall occur at the beginning of development. Thus most of the roadway related capital infrastructure and amenities will be in place in connection with initial development to support full development of the Pre Mix site. Certificates of occupancy shall not be issued for a particular subdistrict until the mitigation requirements of that subdistrict have been satisfied or adequate security to ensure their satisfaction has been provided King County (unless these p suffix conditions or the approved Master Plan set forth a different timetable for completion of the mitigation).

___Mitigation provided under these conditions shall be credited where appropriate against mitigation requirements otherwise applicable to the project through the SEPA process or under County codes. The property owner may fund mitigation improvements based upon agreements for reimbursement of portions of such costs by public agencies or other benefited private parties.

___The intersection of SR 522 and 68th Avenue currently operates at LOS F. Significant mitigation of this intersection is not possible, and therefore mitigation for the development of the Pre Mix site must be directed to improving access and circulation in other ways. Satisfaction of the linkage requirements set forth below shall be construed as satisfying the County's concurrence and intersection standards for the overall project.

___(1)_Overall Project Mitigation. The following items shall be provided in connection with initial development of the Pre Mix site. Certificates of occupancy shall not be issued for development on the Pre Mix site until the following mitigation requirements have been satisfied or adequate security to ensure their satisfaction has been provided King County.

___(a)_Full signalization of the intersection of 68th Avenue and Lakepointe Drive (listed in the CIP), and intersection improvements to include a northbound left turn and left turn/pass through lanes on 68th Avenue but not including improvements to the 68th Avenue Bridge over the Sammamish River;

___(b)_Dedication of right of way adequate for a five lane principal arterial on site for Lakepointe Drive, connecting 68th Avenue to SR 522 at the northwest corner of the Pre Mix site;

____(c)_Construction of Lakepointe Drive on site in a five lane cross section with landscaped median within the dedicated right of way, connecting 68th Avenue to SR 522;

____(d)_Provide for signalization and reconfiguration of the intersection of SR 522 and Lakepointe Drive (listed in the CIP), once signal installation authority has been obtained from the State of Washington by King County;

____(e)_Provide for realignment of existing 175th Street with a grade separated crossing under Lakepointe Drive (listed in the CIP), as set forth in Map B(Northshore Community Plan p 256);

____(f)_Construction of two enhanced transit stops (to be listed in the CIP), which shall be located on the north and south side of SR 522 and north of the Burke Gilman Trail and shall include seating areas, weather protection, and specially designed landscaping and walkway surfaces. The transit stop may be in lane or pull out, and King County shall be responsible for land acquisition and for obtaining approvals for the transit stops;

____(g)_The developer shall be responsible for achieving SOV trip reduction for the project by providing 50 commuter parking stalls in a location accessible to the southern enhanced transit stop or by contributing its fair share to the construction of a new park and ride facility in the Kenmore area, as determined in the approved Transportation Management Plan.

____(h)_Payment of fair share mitigation fees, including those for a fair share contribution to the transit lane improvements planned on SR 522 with credit, if applicable, for the system improvements (e.g., Lakepointe Drive) constructed for the project;

____(i)_Pedestrian access from the developed area to the transit stop and the 68th Avenue/SR 522 intersection;

____(j)_Provision of other minor roadway improvements identified by the Master Plan, such as signal phasing, lane realignment, etc.;

____(k)_Provide a touchdown location on site for the proposed pedestrian bridge crossing SR 522;

____(l)_Provide for a grade separated connection for the Burke Gilman Trail under the to be constructed Lakepointe Drive, that is compatible with the design of the Burke Gilman Trail undercrossing at 68th Avenue. The Trail shall have a 12 foot clear height and project design shall seek to enhance linkages between the Trail and pedestrian routes in the project and reasonably to minimize grade change along the Trail. A curb-cut shall be provided on SR 522 east of 65th Avenue N.E. for access to a parking structure, and the Trail level portion of the parking structure shall include retail or pedestrian services or open space oriented to the Trail (subject to WSDOT approval);

____(m)_The developer shall provide cash incentives, such as transit subsidies,

parking fees, or rent abatement for transit use, in residential leases, if called for under the approved transportation management plan;

___(n)_The developer shall maintain access on the existing 175th Street for the off site lots adjacent to the northeast corner of the project site, as long as the design and function of such access is acceptable to the owners of the off site lots and will not result in adverse impacts to the use of these lots;

___(o)_Development of shoreline enhancement, including public recreation and access areas on the Sammamish River shoreline of the Mixed Use District. Development in the initial phase shall include parking, public restrooms, trailhead facilities, vehicle turnaround, public viewpoint, construction of shoreline interpretive trail, enhancement of the riparian edge of the Sammamish River, and provision of a public viewpoint;

___(p)_Prior to any development, the applicant shall conduct additional environmental assessment as specified by King County and, if contamination is found, shall prepare a remediation plan and schedule acceptable to the King County Executive Branch. Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements. The remainder of the site shall be cleaned up on accordance with the remediation schedule.

___(q)_The developer shall appoint an on site transportation coordinator, and provide cash incentives, such as transit subsidies, parking fees, or rent abatement for transit use, in residential leases in the residential subdistrict, if called for under the approved TMP. If alternative p-suffix conditions are utilized (see P-suffix condition 16.i.) the application shall include a mitigation plan which identifies both the actual cost and fair share cost of project mitigation;

___(2)_Neighborhood Commercial Subdistrict Mitigation. The requirements for the Neighborhood Commercial Subdistrict are satisfied with the initial phase development. Therefore, additional mitigation requirements are not set forth for further development in the neighborhood commercial subdistrict. Although single use commercial buildings are not prohibited in this subdistrict, residential and commercial uses in various structures should be integrated to the greatest degree possible, through the use of walkways and other functional connections between buildings. Further, the prohibition on ground floor residential units will encourage the inclusion of mixed uses in residential structures.

___(3)_Waterfront Subdistrict Mitigation. Additional mitigation requirements for the Waterfront Subdistrict, identified below, are focused on enhancing open space opportunities in this portion of the mixed use district and on emphasizing pedestrian connections within the development. Development shall satisfy the following criteria, in addition to the standards of the underlying zoning:

___(a)_The pedestrian street shall be constructed. See Maps C and D (Northshore Community Plan Update and Area Zoning, p. 257-8). Construction of the street shall be phased so that the street is constructed in conjunction with development of adjacent buildings. The pedestrian street shall be developed to County road

standards as a business access street including two traffic lanes, two 8 foot parallel parking strips, and two 10 foot sidewalk areas.

___(b)_The harborside promenade shall be constructed. See Map E (Northshore Community Plan Update and Area Zoning, p. 259). Like the pedestrian street, the construction of the harborside promenade shall be phased to occur in conjunction with development of adjoining buildings. The harborside promenade shall be constructed as a 20 foot wide hard surfaced pedestrian walkway, beginning at the channelized edge, and shall include pedestrian features such as seating, landscaping, sidewalk cafes, and pedestrian amenities.

___(c)_Upon completion of the pedestrian street, a public parking area shall be developed at the southern end of the pedestrian street. The parking area shall provide parking for approximately 20 vehicles.

___(d)_A harborside viewpoint shall be constructed in conjunction with the harborside promenade, at a location identified in the approved master plan. See Map E (Northshore Community Plan Update and Area Zoning, p. 256).

___(e)_A lakeside viewpoint shall be developed at the southern end of the site, at a location identified in the approved master plan. Development of the lakeside view point shall occur upon completion of the pedestrian street. See Map B and F. (Northshore Community Plan Update and Area Zoning, p. 256 and 260)

___(f)_A public gathering place shall be developed at the southern end of the pedestrian street, adjacent to the lakeside viewpoint and in a location identified in the approved master plan. See Map F (Northshore Community Plan Update and Area Zoning, p. 260). The major public gathering place shall provide area for gathering of at least fifty people. It shall be developed upon completion of the pedestrian street.

___4._Residential Subdistrict Mitigation. Additional mitigation/linkage requirements for the residential subdistrict are geared toward enhancing pedestrian connections within the site, reducing reliance on single occupancy vehicles, and enhancing transit use. Development shall satisfy the following criteria, in addition to the standards of the underlying zoning:

___(a)_Internal pedestrian connections from the residential subdistrict to the transit stop shall be provided;

___(b)_A pedestrian bridge over SR 522 shall be provided (subject to WSDOT approval) when fair share funding for construction is available from sources other than the developer. The developer shall be required to pay its fair share toward the cost of the bridge;

___(c)_At build out of the Residential District, the developer shall provide a shuttle service to connect the development with the transit stop, if called for under the approved TMP;

___5._Waterfront Extension Stage Mitigation. Mitigation requirements for the waterfront extension stage are provided in connection with development of the other

subdistricts. Therefore, additional mitigation requirements are not set forth for development in the Waterfront Extension Subdistrict. Development in this subdistrict may not proceed until mitigation for the overall development and Waterfront subdistrict have been provided.

15. Mixed Use Master Plan Submittal Requirements.

Before development can occur, a Master Plan shall be completed and approved. The following requirements apply to the process for obtaining Master Plan approval for development of the Pre Mix site. The Master Plan application shall be subject to review and approval by DDES. The Master Plan application shall establish vehicular, pedestrian and open space connections within the entire development. These vehicular, pedestrian and open space connections and transportation mitigations shall be binding. Approval of the Master Plan shall assure:

a. the Mixed Use development area in its entirety meets the goals, policies and criteria of the Northshore Community Plan;

b. that there is adequate environmental review of the cumulative impacts of all mixed use development in Kenmore;

c. that there is detailed project level review of environmental impacts of the phase or phases that comprise the development application;

d. that there is adequate mitigation developed for the project level review;

e. that specific criteria of the Northshore Area Zoning and these p suffix conditions are met;

f. that each phase of development will adequately meet the expressed goals for the mixed use area, and adequately mitigate for its impacts at the time of development.

16. Required Elements for Master Plan and Final Development Applications:

The following elements are required of the Master Plan applications in the mixed use development area. This application may include development approval for one or more phases of the entire mixed use area. The discussion of the following elements should be conceptual in nature in the preliminary master plan application, except for phases for which final development approval is sought.

a. Environmental documents assessing project level impacts of the development. Appropriate mitigation necessary for site specific impacts should be identified.

b. Housing units for all phases shall be identified by number and type for each phase including affordable housing requirements of item 10 of the area zoning. Any phase included in a final development application shall also identify location and value of housing units in that phase, if applicable.

c. Retail/Commercial uses for all phases shall be identified by square footage per phase. Any phase included in a final development application shall also identify major

tenant types and building locations in that phase.

_d._Office uses for all phases shall be identified by square footage. Any phase included in a final development application shall include building footprints and employment data for that phase.

_e._Public and private facility improvements shall be identified for the entire mixed use development area. Appropriate size or capacity, location, operational characteristics and relationship should be estimated or defined in further detail as defined in other sections of the mixed use requirements.

_f._Open space shall be identified for all phases and broken down by the amount per phase and type of facility. Specific improvements should be identified for the phase of a final development application.

_g._Vehicular circulation and access shall be identified for all phases. Any phase included in a final development application shall include locations of driveways and parking and a plan for internal circulation.

_h._A map and text identifying pedestrian and bicycle circulation through the entire Mixed Use Development Area is required. Major routes are identified on Map B (Northshore Community Plan p.256). Major pedestrian and bicycle connections identified by King County through the staff report shall be binding for subsequent building permits, unless revised. Detailed design of facilities within any phase applying for final development approval shall be included for that phase.

_i._P-suffix conditions for the Pre-Mix site are intended to be flexible to facilitate development of a pedestrian-oriented place. Alternative P-suffix conditions may be utilized where the Department deems such alternatives to be warranted based upon: 1) changed conditions relating to proposed project plans or capital improvements, including but not limited to transit plans, road alignments, or pedestrian connections; or 2) modified P-suffix conditions which would result in a development which has equal or greater overall environmental benefits. Alternative conditions may be approved by the Department only where the alternatives meet the goals and intent to both the P-suffix condition and the Northshore Plan.

__The application shall include a description of how the project conforms to the requirements of the P-suffix conditions, or if any alternative conditions are proposed, a description of how such alternative conditions are warranted under criteria set forth above.

_j._An agreement identifying timing and funding of public and private funding commitments for identified capital and transit improvements shall be prepared by King County. This agreement shall also include funding commitments necessary to mitigate impacts for the phase or phases proposed in the development application. The plan shall be consistent with the p suffix conditions. If the agreement proposes that the developer funds construction of improvements in excess of the developer's fair share, the agreement shall also include a plan that describes how such excess contributions can be recaptured from public or private sources and/or credited against mitigation required for development of future phases, including the waterfront extension district.

_k._A transportation management plan shall be created for the entire site to reduce single occupancy vehicle trips related to the project. Strategies to be considered shall include transit subsidies, parking fees, and rent abatement. Mitigations should not be required in excess of the project's overall fair share.

_l._King County shall be required to conduct SEPA review of the Master Plan. King County and the applicant have completed the transportation analysis for the project, and the transportation related p suffix conditions are based on this analysis and are intended to mitigate the impacts of the development. This transportation study will be incorporated in the SEPA review for this area zoning. Future SEPA review for the Master Plan and more specific elements of the project should rely on previously conducted analysis where appropriate and should be scoped so as to focus review on impact areas not previously reviewed.

17._Subsequent Applications

_The following elements are required of subsequent development applications within the mixed use development area:

_a._Developer shall make application to DDES for final development approval of portions of the site prior to actual construction. The application shall include the information identified in Section 16 above for final development plans and shall also include building elevations for review of mixed use and pedestrian-oriented requirements of these p-suffix conditions. The final development plan shall be approved if it is consistent with the Master Plan.

_b._Revisions to the Master Plan may be approved by King County in connection with future development of the site, as long as the revisions to the Master Plan conform to the goals and intent of the P suffix conditions and the Northshore Plan.

Ordinance

12824

Effective Date

August 18, 1997

Changes

N/A

View Map(s) for ns-p4. (Click on a map name in the list)

Note: If there are more than one map listed below, there may be a map file ending with a "_x" which provides an index for the remainder of the maps.

ns-p4.gif

**Pre-Conversion Development Conditions Associated with the Above
Condition**

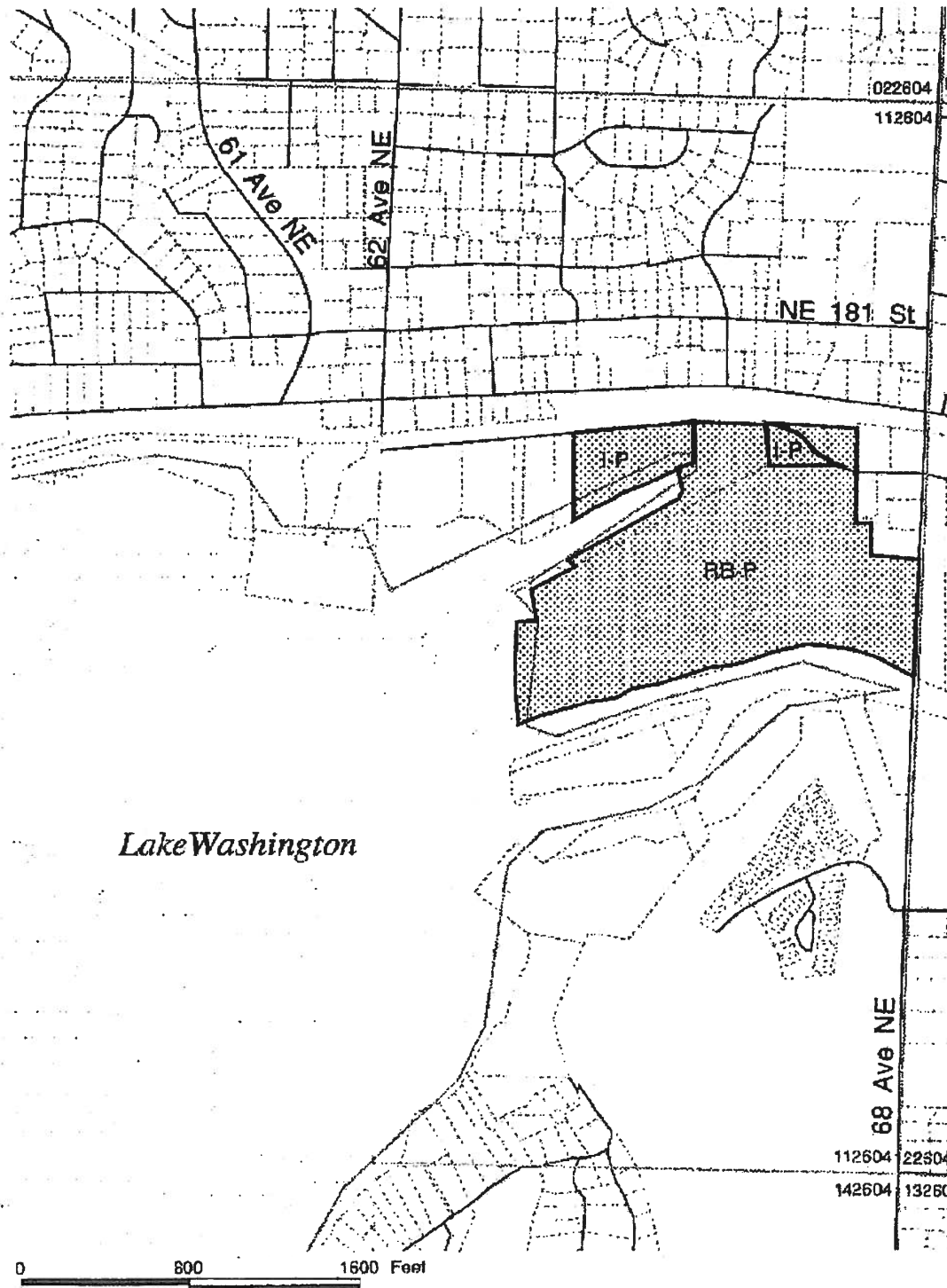
Pre-Conversion Equivalent

NSP-P14

Updated: December 29, 1998

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Development Condition Query Results

Post-Conversion Condition: ns-p10

Effective: August 18, 1997

Description

STR 11-26-4: TL 9001, 9137, 9020, 9165 STR 12-26-4: TL 416410-0310, 0305, 0300, 0295, 0290, 0285, 0275, 0270

Development Condition Text

STR 11-26-4: T.L. 9001, 9137, 9020, 9165

_STR 12-26-4: T.L. 416410-0310, 0305, 0300, 0295, 0290,

0285, 0280, 0275, 0270 (Source: Northshore Community Plan Update and Area Zoning, p. 271)

No retail uses are permitted with the exception of the sale of forest products and other building materials. Office uses shall be allowed only as required in support of industrial wholesale and permitted retail operations on the site. Personnel service uses such as banks, service stations, hotels, restaurants and mini-warehouses are not permitted. Residential uses are not permitted (applies only to the I-P and RB-P zones of these properties).

A. These use limits shall apply for STR 11-26-4: T.L. 9001, 9137, 9020, 9165 until such time as a Commercial Site Development permit (in conjunction with an approved Master Plan per the requirements of NS-P4) is approved.

B. These use limits shall apply for STR 12-26-4: T.L. 416410-0310, 0305, 0300, 0295, 0290, 0285, 0280, 0275, 0270 until such time as any development permit (in conjunction with an approved Master Plan or similar phased plan per the requirements of NS-P19 for development) is approved.

Ordinance

12824

Effective Date

August 18, 1997

Changes

N/A

View Map(s) for ns-p10. (Click on a map name in the list)

Note: If there are more than one map listed below, there may be a map file ending with a "_x" which provides an index for the remainder of the maps.

ns-p10.gif

Pre-Conversion Development Conditions Associated with the Above Condition

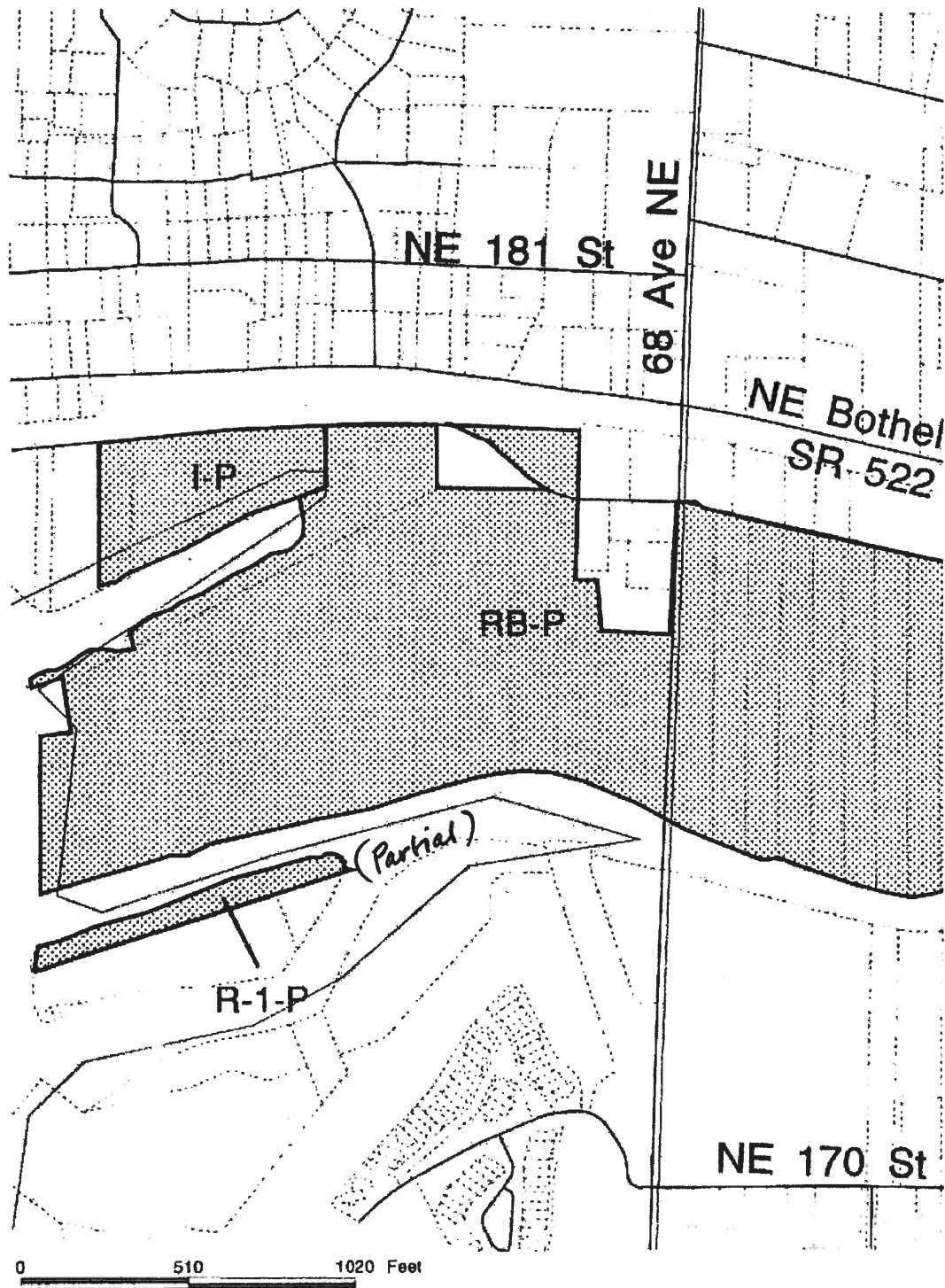
Pre-Conversion Equivalent

NSP-P25

Updated: December 29, 1998

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King County iMap



King County, EagleView Technologies, Inc.

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Notes:



King County